

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
JOSE L. LINARES
UNITED STATES DISTRICT JUDGE

MARTIN LUTHER KING
COURTHOUSE
50 WALNUT ST.
COURT ROOM 5D
NEWARK, NJ 07101
973-645-6042

October 22, 2015

LETTER ORDER

Via ECF

To All Counsel of Record

Re:

Levin v. Volkswagen Group of America, Inc.
Civil Action No. 15-6985 (JLL) (JAD)

Criston v. Volkswagen Group of America, Inc.
Civil Action No. 15-6988 (JLL) (JAD)

DeFiesta v. Volkswagen Group of America, Inc.
Civil Action No. 15-7012 (JLL) (JAD)

Minkina et al. v. Volkswagen Group of America, Inc.
Civil Action No. 15-7020 (JLL) (JAD)

Ghezzi v. Volkswagen Group of America, Inc.
Civil Action No. 15-7035 (JLL) (JAD)

Stein v. Volkswagen Group of America, Inc.
Civil Action No. 15-7052 (JLL) (JAD)

Williams et al. v. Volkswagen Group of America, Inc.
Civil Action No. 15-7053 (JLL) (JAD)

Hayashi v. Volkswagen Group of America, Inc.
Civil Action No. 15-7060 (JLL) (JAD)

Cunningham v. Volkswagen Group of America, Inc.
Civil Action No. 15-7079 (JLL) (JAD)

Ford et al. v. Volkswagen Group of America, Inc.
Civil Action No. 15-7081 (JLL) (JAD)

Armstrong et al. v. Volkswagen Group of America, Inc.
Civil Action No. 15-7085 (JLL) (JAD)

Steele v. Volkswagen Group of America, Inc.
Civil Action No. 15-7086 (JLL) (JAD)

Firman et al. v. Volkswagen Group of America, Inc.
Civil Action No. 15-7106 (JLL) (JAD)

Badeanlou et al. v. Volkswagen Group of America, Inc.
Civil Action No. 15-7108 (JLL) (JAD)

Peterson et al. v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7110 (JLL) (JAD)

Hart et al. v. Volkswagen Group of America, Inc.

Civil Action No. 15-7121 (JLL) (JAD)

Brilla v. Volkswagen Group of America, Inc.

Civil Action No. 15-7122 (JLL) (JAD)

Verez v. Volkswagen Group of America, Inc.

Civil Action No. 15-7123 (JLL) (JAD)

Drachler v. Volkswagen Group of America, Inc.

Civil Action No. 15-7131 (JLL) (JAD)

Conte v. Volkswagen Group of America, Inc. et al.

Civil Action No. 15-7139 (JLL) (JAD)

Heppard v. Volkswagen Group of America, Inc. et al.

Civil Action No. 15-7140 (JLL) (JAD)

Baczewski et al. v. Volkswagen Group of America, Inc. et al.

Civil Action No. 15-7141 (JLL) (JAD)

Montano v. Volkswagen Group of America, Inc.

Civil Action No. 15-7142 (JLL) (JAD)

Goldman et al. v. Volkswagen Group of America, Inc.

Civil Action No. 15-7155 (JLL) (JAD)

Bagert v. Volkswagen Group of America, Inc.

Civil Action No. 15-7174 (JLL) (JAD)

Barger v. Volkswagen Group of America, Inc.

Civil Action No. 15-7175 (JLL) (JAD)

Behncke et al. v. Volkswagen Group of America, Inc.

Civil Action No. 15-7176 (JLL) (JAD)

Underwood v. Volkswagen Group of America, Inc.

Civil Action No. 15-7178 (JLL) (JAD)

Klahn v. Volkswagen Group of America, Inc.

Civil Action No. 15-7179 (JLL) (JAD)

Manuel-Adams et al. v. Volkswagen Group of America, Inc.

Civil Action No. 15-7183 (JLL) (JAD)

Husserl v. Volkswagen Group of America, Inc.

Civil Action No. 15-7184 (JLL) (JAD)

Cua et al. v. Volkswagen Group of America, Inc. et al.

Civil Action No. 15-7195 (JLL) (JAD)

Puglisi et al. v. Volkswagen Group of America, Inc.

Civil Action No. 15-7208 (JLL) (JAD)

Springfield v. Volkswagen Group of America, Inc.

Civil Action No. 15-7219 (JLL) (JAD)

Beitz v. Volkswagen Group of America, Inc.

Civil Action No. 15-7233 (JLL) (JAD)

Greczylo et al. v. Volkswagen Group of America, Inc. et al.

Civil Action No. 15-7234 (JLL) (JAD)

Kannapel v. Volkswagen Group of America, Inc.

Civil Action No. 15-7235 (JLL) (JAD)

McKenna et al. v. Volkswagen Group of America, Inc.

Civil Action No. 15-7236 (JLL) (JAD)

Sprague v. Volkswagen Group of America, Inc.

Civil Action No. 15-7237 (JLL) (JAD)

Spiker v. Volkswagen Group of America, Inc.
Civil Action No. 15-7241 (JLL) (JAD)

Cowell v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7243 (JLL) (JAD)

Lefkowitz et al. v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7251 (JLL) (JAD)

Heinz v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7257 (JLL) (JAD)

Allen v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7284 (JLL) (JAD)

Solnick et al. v. Volkswagen Group of America, Inc.
Civil Action No. 15-7292 (JLL) (JAD)

Halper v. Volkswagen Group of America, Inc.
Civil Action No. 15-7293 (JLL) (JAD)

Brier v. Volkswagen Group of America, Inc.
Civil Action No. 15-7297 (JLL) (JAD)

Fiorelli et al. v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7330 (JLL) (JAD)

Gibbons v. Volkswagen Group of America, Inc.
Civil Action No. 15-7336 (JLL) (JAD)

Kluchinsky v. Volkswagen Group of America, Inc.
Civil Action No. 15-7339 (JLL) (JAD)

Klinkov v. Volkswagen Group of America, Inc.
Civil Action No. 15-7352 (JLL) (JAD)

Greenberg, et al v. Volkswagen Group of America, Inc.
Civil Action No. 15-7372 (JLL) (JAD)

O'Leary v. Volkswagen Group of America, Inc.
Civil Action No. 15-7377 (JLL) (JAD)

G.T. Leasing, Inc. v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7394 (JLL) (JAD)

Mutari et al. v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7408 (JLL) (JAD)

Martin et al. v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7457 (JLL) (JAD)

Rope v. Volkswagen Group of America, Inc.
Civil Action No. 15-7495 (JLL) (JAD)

Morgan v. Volkswagen Group of America, Inc.
Civil Action No. 15-7506 (JLL) (JAD)

Clarke et al. v. Volkswagen Group of America, Inc.
Civil Action No. 15-7549 (JLL) (JAD)

Clark et al. v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7581 (JLL) (JAD)

Seigelstein et al. v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7582 (JLL) (JAD)

Chen et al. v. Volkswagen Group of America, Inc. et al.
Civil Action No. 15-7596 (JLL) (JAD)

Dear Counsel:

It appearing that:

1. the above-captioned cases, being companion cases involving common questions of fact and related issues of law,¹ and counsel having agreed with the Court that consolidation of these cases would be in the interest of justice and judicial economy; and it further appearing that
2. pending before the Court is Volkswagen Group of America (“VW”)’s Motion to Stay all proceedings in this action, including the filing of responsive pleadings or motions, pending the determination by the Judicial Panel on Multidistrict Litigation of a pending Motion for Transfer and Centralization of this, and other related, actions (Civil Action No. 15-7012, ECF No. 22); and it further appearing that
3. also pending before the Court is Plaintiffs’ Proposed Order to Show Cause as to why a Preservation Order should not be entered (Civil Action No. 15-7012, ECF No. 4);

For the reasons discussed with counsel for the parties and set forth on the record at the Status Conference held on October 20, 2015, and for good cause shown,

IT IS on this 22nd day of October, 2015 hereby

ORDERED that Case Nos. 15-6985, 15-6988, 15-7012, 15-7020, 15-7035, 15-7052, 15-7053, 15-7060, 15-7079, 15-7081, 15-7085, 15-7086, 15-7106, 15-7108, 15-7110, 15-7121, 15-7122, 15-7123, 15-7131, 15-7139, 15-7140, 15-7141, 15-7142, 15-7155, 15-7174, 15-7175, 15-7176, 15-7178, 15-7179, 15-7183, 15-7184, 15-7195, 15-7208, 15-7219, 15-7233, 15-7234, 15-7235, 15-7236, 15-7237, 15-7241, 15-7243, 15-7251, 15-7257, 15-7284, 15-7292, 15-7293,

¹ The Court notes that *Travalio et al. v. Volkswagen AG et al.*, Civil Action No. 15-7157 and *George Leon Family Trust v. Volkswagen AG, et al.*, Civil Action No. 15-7283 are not included in this list, as they uniquely allege violations of securities laws.

15-7297, 15-7330, 15-7336, 15-7339, 15-7352, 15-7372, 15-7377, 15-7394, 15-7408, 15-7457, 15-7495, 15-7506, 15-7549, 15-7581, 15-7582, and 15-7596 be CONSOLIDATED for all-pretrial purposes; and it is further

ORDERED that all cases filed prospectively that similarly assert claims for fraud, breach of warranty, violation of consumer protection/consumer fraud statutes, and/or RICO (*i.e.*, cases not asserting claims under the securities laws), shall be consolidated with the above cases; and it is further

ORDERED that all pleadings, motions and other documents hereafter filed by any of the parties in connection with any of these consolidated cases **shall bear the caption, “In re: Volkswagen “Clean Diesel Cases,” and shall bear Case No. 15-7012** (the first case filed by Interim Co-Liaison Counsel); and it is further

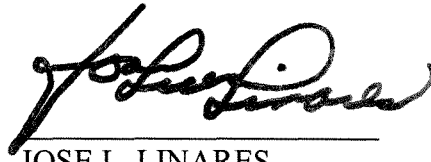
ORDERED that all pleadings, motions and other documents filed by Plaintiffs shall be filed by Interim Co-Liaison Counsel on behalf of said Plaintiffs; and it is further

ORDERED VW’s Motion to Stay (Civil Action No. 15-7012, ECF No. 22), is GRANTED in part, and it is further

ORDERED that this matter is hereby stayed with respect to VW’s obligation to file responsive pleadings or other motions, pending the determination by the Judicial Panel on Multidistrict Litigation of a pending Motion for Transfer and Centralization of this, and other related, actions; and it is further

ORDERED that with respect to Plaintiffs’ Proposed Order to Show Cause (Civil Action No. 15-7012, ECF No. 4), VW shall file a submission by November 3, 2015, and the Court shall hear oral argument on Thursday, November 12 at 11 AM in Courtroom 5D.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Jose L. Linares", written over a horizontal line.

JOSE L. LINARES
UNITED STATES DISTRICT JUDGE